

ORIGINAL

MM 99-25

JOHN M. McHUGH

24TH DISTRICT, NEW YORK

COMMITTEE ON ARMED SERVICES

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COMMITTEE ON INTERNATIONAL RELATIONS

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Congress of the United States

House of Representatives

2441 Rayburn House Office Building

Washington, DC 20515-3224

July 30, 1999

EXP. PART OF 11/15/99

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The Honorable William E. Kennard
Chairman
Federal Communications Commission
1919 M Street, S.W.
Washington, D.C. 20554

RECEIVED

AUG 23 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Mr. Chairman:

I am writing with regard to the enclosed correspondence I received from Mr. William R. Flack, President/General Manager of the Flack Broadcasting Group in Lowville, New York, concerning the FCC's proposal to license new low power FM radio service.

I understand the concerns which have been expressed about the impact the proposal would have on small broadcasters, as well as the points he makes about how many stations in rural areas, in particular, currently do serve the communities where they are located, unlike larger broadcast owners.

I encourage you to take his concerns into full and careful consideration during development of a final decision in this matter. We must ensure that our rural broadcasters and residents are not detrimentally impacted.

Thank you for your time and assistance.

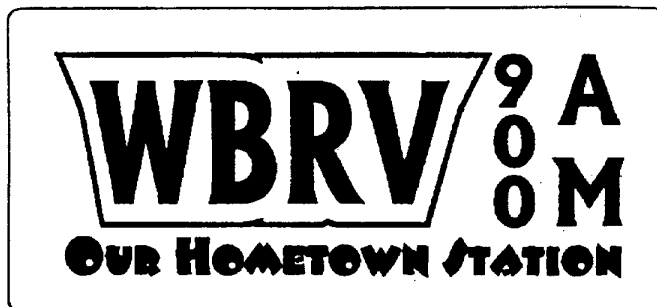
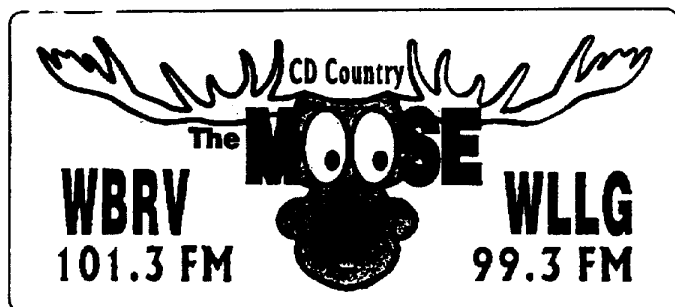
Sincerely yours,

J. M. McHugh
John M. McHugh
Member of Congress

JMM/jmb

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Congressman John McHugh
2441 Rayburn House Office Building
Washington, D.C. 20515

July 16, 1999

Dear Congressman McHugh:

Enclosed, please review my public comment to the Federal Communications Commission regarding the proposed creation of a Low Power radio service. It is my opinion that this proposal is a major threat to small market broadcasters like my wife and I.

It is my understanding that the F.C.C. is proposing new low power radio stations because of the recent deregulation and consolidation of radio stations. The concern of the commission is that radio station ownership is becoming less diverse, and more out of reach of the average person. The commission is also concerned that radio stations owned by "out of town" mega operators may not be serving the communities they are licensed to serve. That could be true for the larger city radio stations, but creating low power FM stations are not going to hurt those stations, it will hurt the small town stations.

The proposed rules call for 3 classes of power (10 watt, 100 watt, and 1,000 watt.) with relaxed regulations (including the need for a public inspection file) for the low power stations. In addition, current broadcast owners are not eligible to apply for a low power license. Essentially, someone (even the operator of a current "pirate" radio station) could apply for a multitude of low power stations from Remsen to Boonville, to Old Forge, to Lowville, to Copenhagen, then simulcast these stations with a satellite-fed format with the investment of less than 25 percent of what my wife and I paid for WBRV AM-FM and WLLG-FM last September. They could probably run this station with one employee. We currently employ 10 people.

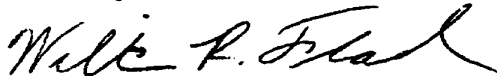
The Flack Broadcasting Group, LLC

7606 State Street • Lowville, New York 13367 • 315-376-7500 • Fax 315-376-8549 • Boonville 315-942-4311

As you know, the retail climate in the North Country is less than booming. The advertising pie is not growing, it is shrinking. I hope you have the opportunity to listen to our stations when you are in the district. I think you'll see the we go out of our way to serve these communities and we love doing it. My wife and I are residents of Boonville and we enjoy being a major part of the North Country community. As a new business owner, I'm concerned about the possibility of additional radio stations siphoning advertising dollars from our growing company and the possibility that limited revenues will make it more difficult for our company to serve the communities the way we currently serve.

I will call your office to discuss this matter with you. Your help in this matter is certainly appreciated.

Sincerely



William R. Flack

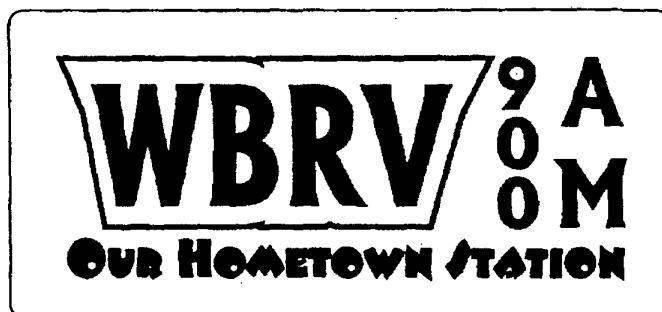
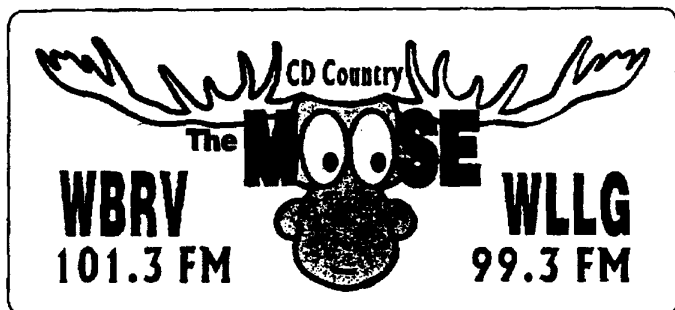
President

WBRV AM-FM, Boonville

WLLG-FM, Lowville

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Before the
FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of

Creation of a Low
Power Radio Service

MM Docket No. 99-25

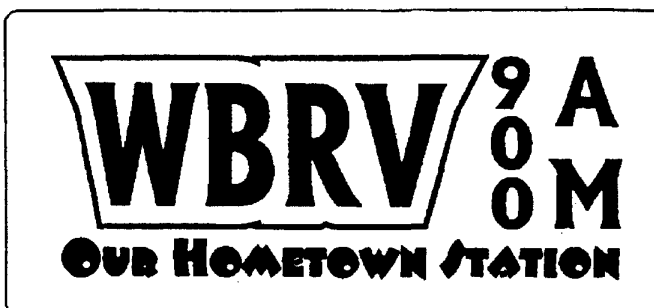
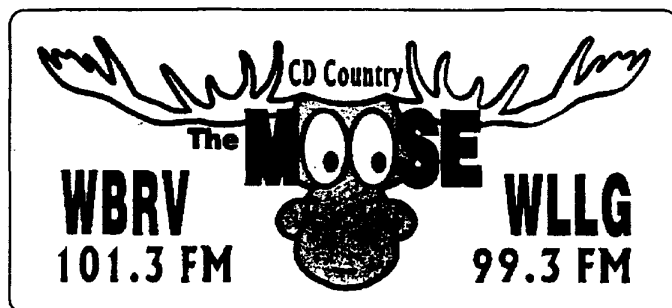
RM-9208
RM-9242

Comments of

William R. Flack
The Flack Broadcasting Group L.L.C.
WBRV AM-FM, Boonville, NY
WLLG FM, Lowville, NY

The Flack Broadcasting Group, LLC

7606 State Street • Lowville, New York 13367 • 315-376-7500 • Fax 315-376-8549 • Boonville 315-942-4311



Dear Commissioners:

I am writing this formal comment to express my concerns regarding the proposed Low Power FM ruling. My wife and I purchased WBRV AM-FM in Boonville, NY and WLLG-FM in Lowville, NY in September, 1998. We purchased these small town stations because I have worked in the chaos of consolidation for many years and decided that it's time to go out on my own. I have 20 plus years in the radio business and I regret the many changes made in this industry. We have chosen to run as small town local stations. We have been able to keep the stations live throughout most of the day. I am fortunate enough to have a morning D.J. who is loved by the community and has worked for the stations for 35 years. These stations are the ONLY daily source of local news in the area and we have one full time news person on staff.

The stations are simulcast. We must simulcast in order to cover the entire area. The towns of license are only 23 miles apart, but the 3,000 watt and 6,000 watt FM signals do not overlap. Our primary coverage area is Lewis County, NY (population 27,000) and Northern Oneida and Northern Herkimer Counties, also in NY (an additional 20,000 population). Lewis County has the lowest per capita income in New York State and the second highest unemployment in the state (10-14 percent). The major industry is agriculture.

Our stations are licensed to serve the communities and we take that commitment very seriously. The stations are involved in just about every community event in the area. We air daily news features dealing

The Flack Broadcasting Group, LLC

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